App. F. IX-4

1928. (Mysore)

File No. 106-28

Serial Nos. 52-10

Previous References
Mys 464-21-1-2

Later References
Revenue 217-39-(1-4)

General and Revenue Secretariat.

Serial Nos. 6

Part B for Mys 1930

SUBJECT

Notice from Mr S. Ramachandra Rao, Advocate, in respect of S.No 65 of Mugalahalli, Honnali Taluq in the Khata of Sri Raghavendraswami mutt at Honnali.

No. 43 dated 10.7.30

To the Mysore Court

The institution of the suit for ejectment and recovery of mesne profits is the only proper course to adopt under the circumstances

4414 of 24

Aug 10th 1885

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D. 1480

Notice to the Chief Secretary on behalf of D. Nallappa and other tenants of S. No. 65 of Mugali. Kalli, Honnali Taluka, endorsed to Sri Rajamanendra Swamy Mutt at Honnali —

1) It is stated that the said tenants are mulagenu tenants of the said land paying an annual rent of Rs 91-6-0 (inclusive of assessment), & that the cultivation right of the land is being sold — they pray that in case suit deprive the petrs of their right of permanent tenancy in and per list in extra

N. B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record

From the Court, they will resort to a Court of Competent Jurisdiction for relief &c. &c.

May a report with records be called for from the Mo. Submit

30/3/25

1/4/25

The terms "mine" make the Lessee a Tenant in the Lease sense as a Mine of Land is given. Plan send the Draft Branch

N. B.—Should routine notes be written on small slips the notes must be cipoed, or slips pasted on this form.

Notice dated 26-3-29 fm Sri. Rama Rao, advocate, Shimoga on behalf of

General and Revenue Secretariat

App. F. III—2

Law File No. 109 5750 of 1928.

Serial No.

Notice dated 26 3.29 from Mr S. Rama chandra Rao, advocate, Shimoga, on behalf of D Mallappa & others, threatening a Civil Suit in case Govt in the Nuzarai Deptt- interfered with the alleged permanent rights of occupancy of the ryots in S.No. 65 of Nugalahalli village, belonging to Sri Raghavendra Swamy Mutt of Honnali, now under Govt management.

5) Draft calling for an early report from the Nuz Commr put-up

Dorf - 3/4/29

Issue W 3/4

To, The Nuzarai Commissioner

P 5993/Law dated 6.4.29 forwarding copy of the notice for favour of an early report.

Draft Dorf 8/4/29

Letter No P 5881/Law dated 8/4/29 forwarding copies of letters of D C & SDO Hosahalli and requiring him to send a detailed report early.

5) Further report may be awaited

Dorf 13/5/29

Law 14/5 W 14/5

-Contn. sheet

WD 021—GPB—30,000—21-8-28

5/15 gra

General and Revenue Secretariat

Govt File No. 109

App. F. III—2]

of 192 8.

Serial No.

Draft A/Instrs

MP

24/10/29

Issued R. 1668 dated 26.7.29

SasA MP 29/7/29

Draft A/Instrs

MP

26/11/29

Issued 2nd R. P 2895 dated 27/11/29

SasA MP 29/11

Letter no. RC 380/28 29 dated 3rd Dec. 29 from the Dist Commr forwarding records and a report on the matter

11 The order of the S.D.O. on this subject (Flag A) explains the facts of the case very clearly. The six persons mentioned in the notice issued ~~by~~ under Sec 80 C.P.C. claim to be permanent tenants of the lands in question which were Sircar lands endowed to the Mutt by private persons in the year 1909-10.

None of the requisites of a permanent tenancy either under Sec 79 or Sec 84 of the L.R. Code are made out by the petitioners and as such their claim is unsustainable in a Court of law.

12 The S.D.O. recommends that Govt on behalf of the Mutt which is now under

NOTE – Contn. sheet

General and Revenue Secretariat. | File No | of 192

Serial No.

Govt management, may institute a Civil Suit against the tenants for evicting them from the lands. Civil action is ~~Social~~ produced necessary since it is said that there is no provision in the Religious & charitable Regn to have recourse to a Summary procedure under the Regn in such cases. Sec 30 of Reg VII of 1927 applies only to alienations of inam lands granted by govt & not to Service lands endowed by private individuals. Chapters II & III of the Regn do not apply to Matts by force of Sec 24 of the Regn. It is therefore necessary to file suits if peaceful possn cannot be obtained from the tenants.

The notice by the tenants threatens a Suit only if their possessin is disturbed by the Muzarai Dept. Since this cannot under the circumstances be done by the Dept perhaps the tenants may not file a mere declaratory suit, in which case, the Muz Dept has to take legal steps to evict the persons. The Muz Comr has submitted the matter for orders of Govt in this matter.

Dy 10/12

L.P.)

Dy
7.12.29
Govt 10/12

with connected
forwarded to the Government
Advocate for favour of opinion

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

App: F. III—2]

General and Revenue Secretariat. File No. 106 of 192

Serial No.

C No. p 82 of 29
14th. January 1930

regarding the desirability of filing Suits as proposed by the Hon'ble Com'r.

Bro.
Dr Mahadevaraya
Legal Asst to Govt
Govt law dept

GOVT. ADVOCATE'S OFFICE. 4 MAY 1930 BANGALORE.

Hon No 884/29-30
dy 14.5.1930.

Hon No 55/29-30
dy 19.5.1930

Retransmitted with compliments.

As the land in question is not an Inam granted by Government, it is not open to them to take action under the Mysore Religious and Charitable Institutions Regulation VII of 1927 and eject the tenants now in possession summarily. These tenants have set up a plea of permanent tenancy and the material forthcoming in the record is quite insufficient to sustain the plea. Nevertheless, the validity of the plea has to be gone into and determined by a Civil Court. The institution of a suit for ejectment and recovery of mesne profits, as proposed, is, in my opinion the only proper course to adopt under the circumstances.

Bangalore,
19-5-1930.

Sd/- Ramachandra Rao
Government Advocate.

Hon'ble with compts for necessary action
Sd/- 19/5

Hon'ble 884/29

7035/22/5

NOTE—Contn. sheet.

WD 066—GPB—80,000—26-7-29

1st Member
To whom a court of Inamdari? The inamdar
for order.
21/5/30
Called Sri Raghavendrarao's court and has the other Court of the same name anything to do

Serial No.

with this institution. Is it under Govt management? If the Mutt at Nanjangud has any control over this institution it may take the necessary action & Govt need not interfere - If this is a separate Mutt under Govt management - then we have to decide what action should be taken. If under Govt management for what reason and for what period?

Mah
26-5-30

18. Submitted with a draft to the Hony. Commr for orders (The Asst Commr says that the Mutt is a Major Hindu institution in the management of Govt but the info required by the Member has to be obtained)

GS
27/5/30

19. Done
27/5

To.
The Hony Comr
No 156 S
with reference to his enquiries as to whether this institution is different from one at Nanjangud and if so whether

SWG
MBK
5/6/30

General and Revenue Secretariat | Mng Filé No. 156 of 192 8

Serial No.

Letter No: P.C. 380/28-29 dated 11-6-30
From the Mng. Commr.
Furnishes the necessary information

20. Subd for orders with reference to 1st Member's minute in para 17 of the notes

GS 18/6.

H. Fecy) 18/6

21 Action may be taken as suggested in para 16.

Mr Mumford 21/6/30

22. Yes
Hume
22-6-30

23. [illegible]

24. Subd with a draft for consideration.

GS 25/6

H. Fecy) 26.6.30

25 7/7/30

26 Issued
8.7.30

215/26/6

FINANCIAL SECRETARY
21 JUN
No. 2

OFFICE OF THE FINANCIAL SECRETARY
21 JUNE 1930
No. 7658

WD 01664—GPB—30,000—20-4-29

Serial No.

10

To. The Muz Cons
No. 43 g. 10. 7—30
with reference to the statement that the validity of the plea for permanent tenancy has to be gone into and determined by a civil Court and requests that action be taken for the institution of a suit for the ejectment and recovery of mesne profits.

WD 01684—GPB—30 000—20 1 29

R 5386
28/3/29

To

The Chief Secretary to The Government
Of Mysore.
BANGALORE.

28

D. 1480

n behalf of my clients:-

(1) D. Mallappa
(2) Rudrappa
(3) Halappa
(4) Mylanna
(5) Nanjappa
(6) Agasara Mallappa.

All residents of Mugali-halli, Honnali Taluk.

I am issuing this notice to you which you will kindly acknowledge & act as you deem fit.

My clients are mulageni tenants of survey No 65 of Mugalihalli village, paying an annual rent of Rs01/6/0. (inclusive of assessment,) from time immemorial. The said land was gifted to Sree Raghavendra Swamygala Mutt of Honnali by its previous owner late Kadni Swamy rayachar who in his turn got it from K. Shama Rao. All along my clients & their ancestors have been paying the above mentioned rent continuously. From its inception they are in its possession & they, relying on their right of permanent occuppancy, have invested heavy sums besides personal labour in bringing the waste land to its present improved & yielding condtion.

That the said Mutt has now been made a muzrai institution & the government has accordingly taken over its management since about 1922.

That for reasons contained in para 2 above, the right of my clients having ripened into one of permanent occuppancyof the land, during (& even before) the lifetime of the donor to the mutt, the donee-mutt has , by virtue of the said gift deed (6/6/1909.) acquired a right to recover annually the rent above admitted, but has no right (h

Higher than that of the owner i.e. donor) either to enhance the rent or to ouot them from the land under any circumstances. The govt as the trustees or the managers of the said institution cannot deprive my clients of their right (vide sec: 14. Muzrai reg).

That inspite of these circumstances the local authoroties purporting to act under the provisions of the Muzrai Regulation attempted to oust my clients from the said land in about 1921-22. Not being sccessful there, they set up a rival party, by putting the cultivation right of the land to sale & prevailing upon him to purchase the same. They then tried to put the said purchaser in possession. But my clients having sccessfully resisted then, the authorities are again trying to the same procedure of putting the cultivation right to sale once over.

That about 1922 my clients issued a notice to the Deputy comr asserting their said right in the land & at the same time notifying their in-tention to file a suit against the Govt & the said institution for a declaration of their title to the land & for a permanent injunction restraining them (mutt & Govt) from interfering with my clients' possession, enjoyment & the right in the land.

That the said notice has not been replied to till now. That inspite of the several applications filed before the local S.D.O. (Rev) for the determination of their right in the land, nothing has been done yet.

That the local authorities are trying to oust my clients from the land by force & with the help of the local police, & deprive them of their right thereto.

That under these circumstances I call upon you to take notice that in case the Govt as trustees & managers of the said mutt try deprive my clients of their right of permanent tenancy in & persist in ousting them from the land, they will be obliged to institute a suit in a court of law for the reliefs indicated above & such other reliefs as may be found necessary.

SHIMOGA
26/3/29.

Your most obedient servant,
S. Ramachendra Rao
Advocate.

From

S. Ramachendra Rao. B.A.,B.L.,
Advocate
Shimoga.

Appendix H G—1

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

Date of issue..... 6/4/29

Signed by .....

st of enclosures.....

Copied by.....

Examined by.....

Mrs 106-29-

Section

File No. 106-28

Serial No. 2

No. 5993 (1)

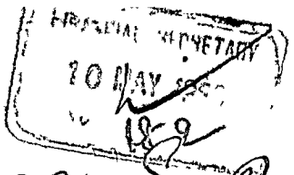
To

The Municipal Commissioner
in Madras, Egmore

Sir,

I am directed to
forward herewith for the
information and necessary action a copy
of notice dated the 1st April
1929 from
Rao Sahib Diwan Bahadur
Thiruvenkata Mudaliar, Secretary
to Government, Public Works
& Mallappa Revenue Thera,
thereby inviting tenders for
Class Three Rolls required
for use at Coonoor
in lieu of 65 of

over



OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE.

Bangalore,...8th...May..... ... 192
10

No. RC 380 Sur 2
28-9

FROM

R. A. Narasimha Iyengar, Esq., B.A., B.L.,
The Muzrai Commissioner in Mysore.
(I Charge.)

To

P. Mahadeva Rao, Esq., B.A., B.L.,
Law Secretary to the Government of His
Highness the Maharaja of Mysore,
Bangalore.

SIR,

With reference to your letter No.L.5995 (1) Jur 109-37-2 dated 6th April 1929 forwarding for record copy of notice received from Mr. S. Ramachandra Rao, advocate on behalf of Messrs D. Mallappa and others, threatening to file a suit in case their alleged rights of permanent occupancy in respect of S.No.65 in Nagalapalli village belonging to Sri Raghavendraswami Brindavanam are interfered with, I have the honor to forward herewith for information copy of Sri Dist District Deputy Commissioner's ad-interim letter No.138-27-29 dated 29th April 1929 with its enclosure and to state that the Commissioner's report is awaited.

I have the honor to be,

Sir,

Your most obedient servant,

R. A. Narasimha Iyengar
Muzrai Commissioner.
(In charge.)

ra

As the gutta amount for 20 acres of land was obviously too small, various efforts were made to secure an equitable settlement, but the efforts were not successful owing to petitioners being obstinate. The same results attended when efforts were made to dispose of these lands by leasing them to others.

14

Letter No.MZ.1.C.135/27-28 dated 27/28th April 1928 from the offg. Deputy Commissioner, Shimoga District to the Mazrai Commissioner in Mysore.

Permanent Tenancy Rights Notice to Mrs file a suit claims of D.Mallappa and others of Mugalehalli Survey No.65 in the Name Sri Raghavendraswami at Honnali.

With reference to your letter No.R.C. 300/28-29 dated 3-4-28 and a subsequent communication dated 17-4-28 forwarding a copy of the notice issued by Mr. S. Ramachandra Rao Advocate on behalf of Messrs D. Mallappa and others, purporting that a suit would be filed against Government in case their rights of permanent occupancy are interfered with, I have the honor to forward herewith a copy of letter No.RR M.C.46/28-27 dated 19th April 1928 from the Sub Division Officer Thirthahalli Sub Division stating that he would submit a detailed report with records after completion of some further enquiries in regard to the alleged rights of Mulgeni claimed by the tenants over the land in question. I shall submit the report in the matter after receipt of the records from the Sub Division Officer.

I have asked the Sub Division Officer to submit the report with-

with

Copy of letter No.R2.M.C.46/26-27 date
the Assistant Commissioner, Thirthahalli Sub Division
the Deputy Commissioner, Shimoga District.

Re:-- Contention of Tenants of Survey No.65 of Mugalihalli Belong to Sri Raghavendra Swami Vrindavana.

With reference to your memo No.Muz.135/27-28 dated 23-7-27 calling for a submission of a detailed report with records re the lease of Survey No.65 of Mugalihalli belonging to Raghavendraswamy Vrindavana etc., I have the honor to state that the records will be submitted as soon as I finish making certain enquiries as to the -- nature of evidence upon which these petitioners seem to reply upon. I could not make these enquiries earlier as the Public Prosecutor to whom these records had been sent for opinion, did not return them for nearly two years inspite of several reminders and the records were received on the 3rd of this month. He is of opinion that so far as is evident from the record there is nothing to support the -- contention of the petitioners that they are permanent occupancy --- tenants and so a suit for evictment could be successfully maintained

The facts as they stand at present, seem to indicate that these lands were once in the enjoyment of the Shanbhogue Swamy Rao who transferred them some 50 years back to the Donor Kondi Swamiraya Chavva who in turn gifted them to the Matt on 6-6-1909. There is no mention in the records till then of the existence of the permanent lease or of permanent tenants. In fact it appears that Swamy Rao had under him only 3 tenants and two of them at any rate can be --- stated to have nothing to do with the petitioners as they were --- Adikarnatakas while the petitioners are not. In 1912 there were 3 tenants cultivating 3 hissies and one of them at least seems to have been cultivating from 1906 according to the statement of the Patel before the Amildar in the same year. They were paying then Rs.10/- per hissie and the Amildar increased the Gutta to Rs.11/- and they accordingly agreed and have been paying the same. The public ---- Prosecutor is of opinion that as these people did agree for payment of enhanced gutta of Rs.11/- they are not permanent tenants, but he has reckoned without taking into account the contention of the -- petitioners that the rent was raised in consonance with section 83 of Land Revenue Code.

Appendix F G—1

SUBJECT

18

GENERAL AND REVENUE SECRETARIAT

P O.No. P. 668 Dated Bangalore, 26/7/1929

The Muzarai Commissioner

Dear Sir,

I am ~~desired~~ directed to invite ~~your personal attention~~ ref to to ~~this~~ your office No. P.C. 380 of 28-29 dated 8/10 th may 1929 and the subsequent reminders as detailed in the margin, ~~regarding~~ in the matter of the notice received one from mr S Ramachandra Rao, Advocate, on behalf of Messrs D. Mallappa & others regarding S. no 65 in Mugalehalli village belonging to Sri Raghavendraswami Brindavanam and to request you to be so good as to expedite ~~your reply~~ the further report promised therein.

~~thereto, as the matter has been pending for a long time.~~

~~Yours sincerely,~~ Thavech

mr ..... in mysore

in the notice

dated 8/10 th may 1929

under no

9 regarding

in mr

no case,

Mallappa

and others regarding S. no 65

in Mugalehalli village belonging

to Sri Raghavendra Swami

Brindavanam and to

over

To

for Secy

Copied by 29/7/29

Examined by .....

WD 063—GPB—20,000—1-8-29

We request prior to be so good as
to expedite the former
report promised ~~this~~ in your letter
no Pc 380/28 d.d. 8/10 S.H.

Thanks

Legal Adv.

26.11.

26/11

2602 P 29

[F. 13]

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore,...1st. December.....1929.

No. Re. 388/29 Encl 1 file. 3

FROM Rajakaryapravina
P.G. D'Souza, Esq., B.A.,B.L.
~~The~~ *Muzrai Commissioner in Mysore.*

Misc 106

To

P. Mahadevayya, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Law Department.

SIR,

Referring to correspondence ending with your letter No.P. 2395/Law dated 27th November 1929 re S.No.65 in Nugalihalli in the khate of Sri Raghavendraswami Matha at Honnal, I have the -- honor to forward herewith copy of letter No.Muz.M.C.135/27-28 -- dated 27th November 1929 received from the Deputy Commissioner, Shimoga District, giving enclosure to an order passed by the -- Sub Division Officer of the Tirthahalli Sub Division in Mysore Mis. case No.4 of 28-29 and recommending that sanction may be accorded to the launching of a suit in a competent Civil Court to evict the tenants from their possession of the lands and also to recover ---- enhanced rent for at least 6 years, the costs thereof being met from the funds of the institution.

2. The order passed by the Sub Division Officer gives in --- sufficient detail the facts of the case. For reasons stated therein the Sub Division Officer has arrived at the conclusion that the tenancy is at will and not of a permanent nature, as alleged in the notice issued by Mr. S. Ramachandra Rao, Advocate, on behalf of Mr. D. Mallappa and others.

3. I submit the matter with the connected file of papers for orders of Government.

I have the honor to be,
Sir,
Your most obedient servant
Rajakaryapravina.
for Muzrai Commissioner.

Appendix F G—1

SUBJECT.....

.....

.....

Section Mug.

File No. 106-28.

Serial No.

No. 2746/Records

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

To

..... The Mug. Comm.

in Mysore.

Date of issue ....30.12.30. .....

Signed by....T. K. S. .....

Sir,

With reference to ~~the enclosed Statement~~ Notice from by Mr. S. Ramachendra Rao on behalf of his clients - Messrs. D. Mallappa and others in respect of ~~possession of~~ the S.no. 65 - Yamugalahalli, Honnali Taluk ~~lands~~ in the Khata of Sri Raghavendra Swami Matha at Honnali "

With reference to ~~the~~ Correspondence ending with your letter No: PC. 380 dated 30th Dec: 1929 on the subject

over

List of enclosures.....

Copied by.....

Examined by.....

referred to above, I was directed to enquire as follows.

(i) Is there the institution at Honnali called Sri Raghavendra Swami Mutt ~~or~~ Seperate or has the other mutt of the same name at Ranjangud anything to do with this institution or any control over it?

(ii) How long has it been under Govt: management and why

(iii) ~~Has the mutt at Ranjangud any Control over this institution?~~

(iv) ~~If the institution is under Govt: management, information may be furnished for what reasons and for what period.~~

The records are herewith returned for resubmission with an early reply.

Yours etc

28/5

Financial Secretary

-to Govt

GSWSK

28/5.

M. C. 13]

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore,.....10th June .....1930 .

No. P.C.380/28-29.

FROM

Rajakaryapravina
P. G. D'SOUZA, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

TO

Rajasevaparayana
P. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Financial Department.

SIR,

Subject:- Notice from Mr.S. Ramachandra Rau on behalf of his clients, Messers D. Mallappa and others, in respect of S.No. 65 of Mugalahalli, Honnali Taluk, in the Khata of Sri Raghavendraswami Matha at Honnali.

With reference to your letterNo.274 Muz.106-28-8 dated 29/30-5-30 calling for certain information re: the said Matha, I have the honor to state as follows:-

1. The institution in question is quite separate from Sri Raghavendraswami Matha at Nanjangud and has no manner of ~~collection~~ connection whatever with it. It has a separate cash grant and owns Inam lands also to the extent of 145 acres 3 guntas.

2. The institution has been under Government Management since 1921-22 (Vide G.O. No.1083-4 M.F.464-31-2 dated 1-2-22) and a scale of income and expenditure has been sanctioned by this office in respect of the same.

3. The connected records received with your letter under reply are herewith returned.

I have the honor to be,

Sir,

Your most obedient servant,

For Muzrai Commissioner.
(Absent from Head quarters)

Copy of letter No 46/26-27 dated 24th October 29 from the Assistant Commissioner Thirthahalli Sub Division to the Deputy Commissioner, Shimoga District.

In continuation of my letter No. 33. A.C. 46/26-27 dated the 19th April 1929 regarding the petition of Mr. V.Ramachandra Rao, Advocate on behalf of his clients D.Mallappa and others praying for the determination of their right in the land of Survey Number 67 in the Hugalihalli village endowed to Sree Raghavendra Swami Mutt at Kumsi, I have the honour to submit herewith a copy of my order in Muzrai Miscellaneous Case No 4 of 28-29 for kind perusal. The petitioners have been continuously manevouring by various devices to obstruct the authorities from obtaining possession of the land and derive its legitimate income in favour of the Institution. It appears to me that in the interests of the Institution steps may immediately be taken for evicting them from this land which is likely to yield nearly 20 times its present income and suits filed in the Civil Court not only for eviction but also for an enhanced rent for 6 years at least at the rate offered by one Venkatalingappa in the year 1921-22 viz Rs 113-0-0 per annum.

The Public Prosecutor who was informally consulted in the matter has in his letter No. 360 dated 2nd April 1929, suggested that Civil Suits may be filed against the tenants with chances of success.

The lands being valuable, its restoration to the Institution would materially add to its income. A request that sanction may kindly be accorded for filing the suits and to meet the costs in this connection from the funds of the Institution. The Shanbhogarsis are repeatedly urging that this land should be restored to the Mutt.

The entire records are enclosed herein as per Memo attached.

"Copy" B. Subramanya Rao

for Deputy Commissioner,
Shimoga District.

G.A.C.

G—1

SUBJECT.....

Diary No. of letter replied to.....D. 1987 Mug.

General and Revenue Secretariat

(

the *193*

Date of issue .....10.7.30.....

Signed by...M. I. S. Secretary...

Section Mug.

File No. 106-28.

Serial No. 10

No. 43/Accts

To

..... The Mug. Comm^r

in Mysore

Sir,

"Notice from Mr S. Rama-chandra Rao on behalf of his clients Messrs. D. Mallya and others in respect of S.No: 65 of Mugalahalli Honnali taluk in the khata of Sri Raghavendra Swami Mutt at Honnali"

In the reference to the correspondence ending with the letter No. P.C 242/30

referred to above. I am directed to state as follows

-- As the land in question is not an inam granted by Govt: it is not open to them to take action under the Mysore Religious and Charitable Institutions Regulations VII of 1927 and eject the tenants now in possession summarily. These tenants have set up a plea of permanent tenancy and the material forthcoming on the record is quite insufficient to sustain the plea. Nevertheless, the validity of the plea has to be gone into and determined by a Civil Court. The institution of a suit for ejectment and recovery of mesne profits is the only proper Course to adopt under the circumstances.

I am to request that action may be taken accordingly. The records are hereewith returned.

Thareen.

7-7-30

26.6.30

For H: Secy. -9s 25/6

U3 mcg
records

9/th July 30

Rajakaryapravina
P.G. D'Souza, Esq., B.A., B.L.,
Muzrai Commissioner in Mysore, Bangalore.

Notice from Mr. S. Ramachandra Rao on behalf of his clients Messrs. D. Mallappa and others in respect of Survey No.65 of Mugalahalli Honnali Taluk in the Khate of Sri Raghavendraswami Mutt at Honnali.

With reference to correspondence ending with letter No. P.C. 380 of 1928-29 dated 11th June 1930 on the subject referred to above I am directed to state as follows:-

As the land in question is not an inam granted by Govt: to them, it is not open to them to take action under the Mysore Religious and Charitable Institutions Regulation VII of 1927 and eject the tenants now in possession summarily. These tenants have set up a plea of permanent tenancy and the material forthcoming in the record is quite insufficient to sustain the plea Nevertheless, the validity of the plea has to be gone into and determined by a Civil Court. The institution of a suit for ejectment and recovery of mesne profits is the only proper course to adopt under the circumstances.

I am to request that action be taken accordingly. The records are herewith returned.

I have the honor to be,
Sir,
Your most obedient servant,
V Subrahmanyam
For Secretary to Government,
Financial Department.

Fair draft.
9/7

C.R.G.